

# **The Vermont Constitution:**

**A Legacy Worth Saving**

**by Murray Bookchin**

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# THE VERMONT CONSTITUTION:

## A Legacy Worth Saving

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A democracy does not disappear at once. It usually dies slowly -- in bits and pieces. The excuses that are commonly given to erode a democracy and ultimately destroy it are "efficiency" in government, the "high costs" of electoral campaigns, the growing "complexity" of society, and the need for greater "professionalism" in government. As time goes by, the executive authority of a democracy is increased at the expense of the popular authority. Terms of office are lengthened so that the executive becomes less and less accountable to the people. Bureaucracy increasingly expands at the expense of representation, clothing the executive authority in greater secrecy and permitting the arbitrary exercise of power. The legislative branch, increasingly overshadowed by the executive branch, becomes a rubber stamp for strong-willed and cynical "chiefs of state," until legislators become anonymous instruments of the executive branch. Ultimately, a democracy is "democratic" only in name. Only token representation remains in contrast to the reality of

a highly centralized "head," who eventually becomes imperial in fact even as he or she is cloaked in the traditional institutions of popular government.

This development has occurred so often in history that it can be studied -- point by point -- in the great cycles that turned democratic Athens and republican Rome from fairly pluralistic political systems into highly authoritarian ones. It is astonishing how alike -- at times how identical -- were the reasons that were given in different periods of history to achieve increasingly powerful executives at the cost of free and representative institutions. Long after the Roman Republic had died, the imperial authority of the Empire still evoked "the people and senate of Rome" to legitimate royal decrees. The same was true of the city-states of Italy, later of Flanders, and finally, in our century, the Eastern bloc where words like "People's Democracies" attempt to conceal highly authoritarian regimes. And it is happening in our own country, where the executive branch of government is now so massive, its bureaucracy so commanding in power, and executive agencies so scandalously invasive of Congress' constitutional powers that the very integrity of our Republic hangs in the balance.

Nor is the growth in executive power a national problem alone. Governors today in many of our states have enormous authority, comparable in many ways to regal power. Terms of office have

been expanded from one year in post-revolutionary times to six in recent times. Legislatures have diminished their powers over the purse and the enactment of laws to such an extent that bureaucracies -- not representatives of the people -- basically make policies, not merely administer them. Citizens have been reduced from active participants in public life to mere taxpayers. All the reasons of the past -- "efficiency," "complexity," "campaign costs," and the "need for professionalism" -- have been invoked to reduce democratic rights and practices. The basic technique for increasing executive power to imperial or near-imperial proportions has been through the extension of public office and the diminution of public accountability. Today Vermonters face the problem more seriously than at any time in the past. The sizeable influx of new people, however well-meaning, from areas that have lived under highly centralized state governments has made our state especially vulnerable to a passive citizenry that often expects to be "led" rather than to participate in the political process. The need to re-read our highly democratic Constitution -- a social compact unequalled by any other in the United States -- has never been more pressing than it is today.

Should we adopt a four-year term for the executive branch of government as so many of our governors have demanded or retain the high degree of accountability created by the two-year term?

Should we increase the minimal five percent required by parties and individuals to get on the ballot or raise it to ten percent as one executive official proposed several years ago?

Should we enlarge the "staff" required by our representatives and perhaps even extend the terms of Senators from two to four years together with the governor's term of office?

Today we are steadily moving toward less accountability, more professionalism, greater bureaucracy, and an increasingly centralized government -- not only nationally, but in our own state. Our Constitution is under siege. This brief survey of the Vermont Constitution is meant to emphasize that the Constitution should be considered a *moral* document -- not only a political "instrument" -- one that is eminently worth preserving for ethical as well as administrative reasons. This survey asks the question: can two centuries of a passionate love of liberty, of a deep belief in participatory government, and trust in ordinary people to preserve freedom as an end in itself be permitted to undergo the erosion and ultimate destruction that has occurred so often in the past?

## The Vermont Example

Vermont and its citizens can well become a living obstacle to the trend described above. The Vermont Constitution and many of its traditions

stand in flat defiance of a powerful executive, a large bureaucracy, unrestricted police power, and arbitrary government. Unfortunately, comparatively few Vermonters realize that their State Constitution exists almost alone -- indeed, entirely alone in the view of many students of the Constitution -- as a genuine citizens' document as distinguished from the narrow legal documents prepared for other states by legal professionals, politicians, and lobbyists. As a moral foundation for our governmental system, it has no parallel today in other constitutional documents in the United States. If only in the interests of a vital political life in our commonwealth with the widest citizen participation in government, it deserves to be preserved with minimal tampering by the State House and Legislature.

But the Vermont Constitution stands for considerably more than a State document. It is the most democratic of all constitutional documents in the United States. In this respect, it belongs to the American people as well as to Vermonters as a rare and precious expression of their republican legacy. It is a sacred and historic trust, not only a working document. In an era of growing centralization and bureaucratic power, it could serve not only as a bulwark against authoritarianism in Vermont but as an inspiration and example for all Americans in the uncertain years that lie ahead. By its very existence, it could be a reminder of a form of government that provided a haven for oppressed peoples throughout the world in past years and a

luminous guide to freedom for people of all backgrounds in the future.

To understand more fully the historic traditions and ideals that enter into the Vermont Constitution, it is important for everyone who still cares for freedom -- particularly Vermonters -- to know the basic features of this Constitution and its early history.

### **"... those great ends of government ..."**

The men who gathered at Windsor between July 2 and 8, 1777, with instructions to write a constitution for the new commonwealth of Vermont were mainly agrarian people and citizen soldiers, strongly independent in their views and generally self-sufficient economically. They were open to advice -- and, characteristically, they chose to listen to Thomas Young of Connecticut who was deeply influenced by such colonial spokesmen for the "common man" as Tom Paine and Ben Franklin rather than northern merchants or southern aristocrats. The document closest to a truly plebian state constitution in the 1770s was the famous Pennsylvania Constitution, a work largely crafted by farmers and frontiersmen.

Vermonters, with their characteristic love of freedom, selected the Pennsylvania Constitution as a working model for their own, but not without

altering it sufficiently to make it a uniquely Vermont document. In contrast to the Pennsylvania Constitution, the Vermont Constitution abolished adult slavery, eliminated all economic and material restrictions on the right to vote, and established a unique balance between statewide and local elections. The executive -- notably the Governor, his deputy (or Lt. Governor), the Treasurer, and the 13-man "Council" that worked with the State House officials -- was elected directly by all the citizens of the State rather than on a proportionate countywide basis. Members of the unicameral legislature (Vermont did not have a two-house General Assembly until well into the 19th century) were elected at town meetings, each of which eventually provided about one representative to the legislature. The constitution remained vague about the judiciary, possibly reflecting the typical Vermonter's suspicion of legal professionals, leaving judicial positions open to lay people, a practice that continues to this very day in the form of lay side-judges. The Constitution did contain a provision for the popular election of inferior courts of common pleas (notably, courts closest of the practical concerns of the citizen), sheriffs, probate judges, and justices of the peace.

The extent to which the Vermont Constitution was more or less democratic than the Pennsylvania Constitution cannot be judged by a literal comparison of the two documents. Such

comparisons constitute an issue that is more than a matter of academic or legalistic debate. Pennsylvania was the home of Philadelphia, one of the largest cities in the new United States. The coastal areas of the state were knitted together by one of the best communications networks in the newly formed nation. It was a founding state, like Massachusetts and Virginia, basically governed by wealthy oligarchies, attorneys, and career-oriented politicians. Its seemingly liberal constitution must be seen as an "experiment" in frontier democracy, written by the least privileged elements of a highly privileged society on the crest of revolutionary fervor, rather than a reflection of the dominant social and economic interests that actually controlled the state.

Vermont, by contrast, was a commonwealth of small towns, each acutely sensitive to its local rights and liberties. Communication within the State was extremely difficult. Indeed, the State -- which was not admitted into the Union until 1791 -- lacked a regular newspaper until 1783 and efforts to distribute the commonwealth's laws to its town meetings were notoriously ineffective. The early Pennsylvania Constitution with its strong democratic overtones was replaced by a comparatively oligarchical one by 1790. The Vermont Constitution, while lacking certain democratic features of the Pennsylvania document and governed by the Allen-Chittenden faction for some eighteen years, succumbed to the bitter conflicts that arose between the Hamiltonian

"Federalists" and the Jeffersonian "Republicans," with the result that the Constitution acquired features that were to make it more democratic rather than less.

Attempts by the Allen-Chittenden faction to maintain a strong executive through the State House and the 13-man gubernatorial Council proved less effective in fact than they were on paper. The Vermont towns retained enormous political power both locally, on a grassroots level, and statewide because they essentially formulated the policies of the legislature. The legislature, in turn, became increasingly self-confident as time passed and increasingly challenged the power of State House officials. By 1808, the tendency to re-elect incumbents to the Council came to an end and attempts to replace this incestuous body by a more popular Senate were initiated in 1793, although the Senate was not to be established until 1836.

Actually, the Jeffersonian victories of 1801 and 1803 in the legislature radically diminished the oligarchic powers claimed by the State House in earlier decades. Thereafter, Vermont was to become one of the most democratic states in the Union and was marked by a political vitality that had few precedents in its sister states. In the 1830s, it became a hotbed of antislave abolitionism and a major route in the underground railways. It is not accidental that this iconoclastic State was the birthplace of such

innovative men as John Humphrey Noyes, the great American utopian, Joseph Smith, the founder of the Mormon Church, Thaddeus Stevens, the radical Republican of the Reconstruction Era, and John Dewey, perhaps the most outstanding thinker in American philosophy and one of the country's great civil libertarians during the 1930s.

## **Rights and Institutions**

The Vermont Constitution, in sharp contrast to the constitutions of the founding states of the Union, has remained remarkably intact over the past two-hundred years.

The original document, adopted at Windsor in 1777, was notable for its brevity and simplicity. It was meant to be read and used by its citizens, not simply by legal professionals -- indeed, by citizens who could plead for themselves in courts, hold judgeships, and transact their business with a minimum of trained intermediaries and agents. Its Declaration of Rights contained 19 articles and its frame of government, 44 sections. In contrast to the Pennsylvania Constitution, it favored the town rather than electoral districts as the basis for legislative representations and chose its executives by direct statewide elections rather than by counties. Its governors and their deputies were elected by the direct vote of its citizenry, not chosen by the Council and Legislature, as was the case in Pennsylvania.

The Constitution of 1786 modified the one written in 1777 with minor amendments, changing certain oaths, establishing a militia, providing compensation for public service, and requiring the use of sealed electoral ballots. A constitutional convention in 1793 merely expunged the preamble to the Constitution which essentially emulated the Declaration of Independence by dissolving the state's allegiance to England and contained a brief statement of its political philosophy and complaints against New York over territorial disputes. Hence, most of the constitutional changes that were made up to the end of the eighteenth century were more verbal than substantive. Looking closely at the proposed changes which were *not* adopted by constitutional conventions during this formative period, some of which were quite sound, one is nevertheless obliged to sense pressure from the State House and Council to enlarge the executive's power at the expense of the popular power. This "push" toward greater centralization and top-down control over the citizenry was to be resumed again in the middle of the twentieth century with problems that still confront the State today. The "simplicity" of life in the 18th century by comparison with the alleged "complexity" that has supplanted it in the 20th century somehow did not prevent early governors and executive officials from tightening their grip on the State and its political processes. There seems to be something eternal about this tendency, whether one looks at ancient Rome or colonial Vermont.

After the 18th century, the Vermont Constitution was to be amended about ten times in its two-century history -- perhaps a national record for minimal changes in constitutional documents -- of which some three or four were of major structural significance. Until 1880, amendments were made by a Constitutional Convention of county delegates on suggestions from the Council of Censors, a 13-man body redolent of the Pennsylvania Constitution. The Council of Censors was charged with an ongoing review of the Constitution under changing social, economic, and political conditions. This practice was to be replaced in 1880 by proposed amendments which were to be initiated in the Senate by a two-thirds vote, followed by a majority vote in the House in a given year and, in the following year, by majority votes in both houses. In addition, no amendment could be included in the Constitution until it was approved by the citizenry in referenda conducted by a tally of city and town-meeting votes.

The first of the major constitutional changes occurred in 1836, when a convention established a bicameral legislature. Until recently, political theorists would have regarded the creation of an upper house or Senate as a step away from democratic process, presumably buffering the "popular will" with an elite group of legislators. Today, this view is open to question. In practice, the Vermont senatorial buffering process, like the idea of a "separation of powers," has begun to

serve the democratic process rather than subvert it. The Vermont Senate replaced the inbred centralistic Council that surrounded the governor by a more independent voice in State government, diminishing the power of the executive and increasing the power of the legislature. Its steadying hand on the House (i.e., the required two-thirds vote for constitutional changes) helped to preserve the traditional structure of Vermont's founding document. Legislation tended to move more slowly through the legislature so that statutes of doubtful wisdom could be subject to closer public scrutiny and debate. Any fears that the Vermont Senate would become an elite "House of Lords" as unicameralists claimed have proven to be unfounded. The lowered legislative metabolism of the Senate added to the General Assembly's deliberative qualities, just as the courts have held unbridled violations of civil liberties in check.

The Constitutional Convention of 1870 abolished the Council of Censors and introduced the present-day system of amending the Constitution. It also increased the State House and General Assembly's terms of office from one to two years. Whether this doubling of political tenureship from one to two years was a desirable step will not be discussed here. Vermonters now take the two-year term so much for granted that the very memory of annual terms and their importance in early American political philosophy has been forgotten. The fact still

remains, however, that a calculated step had been taken for the first time in Vermont history to diminish accountability of important State officials and legislators to the citizenry. Later attempts to further increase governmental terms of office were to occur almost chronically and constitute one of the most problematic features of the State's political life.

Fortunately, the Vermonters of the 1870s and 1880s were shrewd enough to place a ten-year "time lock" on constitutional change with the result that a full decade had to pass before any amendments to the Constitution could be proposed in the Senate. The ten-year "time lock" was to serve Vermonters well for the greater part of a century until it was replaced in 1974 by a four-year "time lock." Attempts still persist to remove *any* "time lock" for proposed amendments, a strategy that would open the Constitution to frivolous and possibly self-serving changes every year. Here, too, as with the historic proclivity of political professionals to replace citizens' control of government by top-down control, one encounters a persistent tendency to turn a moral compact like a constitution which defines the *framework* of government into a body of mere statutory regulations based on expediency which should properly constitute the mere *tools* of government.

The amendments reapportioning Vermont into electoral districts -- a decisive loss of township

control over the House -- may well be regarded as a mixed blessing. That representation in the General Assembly grossly and undemocratically reflected the interests of the rural constituency of Vermont at the expense of city and large-town constituencies clearly justified reapportionment in the General Assembly. Whether the State desired this reapportionment or not is a moot question. The Federal Supreme Court's famous "one man, one vote" decision of June, 1964, held Vermont's traditional electoral structure to be unconstitutional. But the anonymity of a "ward-type" system that fails to pattern itself closely on authentic neighborhoods and communities is a problem that often turns the electoral process into a lifeless ritual and ignores the conflicts of interests that may exist in a given electoral boundary. Community oriented social theorists have asked if the "one man, one vote" system reduces elections to a mere tally of impersonal voters -- a mere sum of numbers -- if it fails to place the citizen in a meaningful social and community context. The need to bring the adequate representation of Vermonters into balance with community representation is a serious problem in the State that still awaits full discussion and resolution.

By the end of the 1960s, much had been gained and certain losses had been inflicted on the Vermont Constitution. Virtually the entire "Declaration of Rights of the Inhabitants of the State of Vermont" of the 1777 Constitution

remained intact. This imposing statement rings with phrases from the "Declaration of Independence" and largely anticipates the first ten amendments of the Federal Constitution -- the "Bill of Rights." Article One tells us that "all men are born equally free and independent, and have certain natural, inherent, and unalienable rights . . ." Whereas such phrases drawn from the highest ideals of natural-law theory often remained mere rhetoric in other constitutional documents, the Vermont Constitution gave them poignant reality by abolishing slavery and economic restrictions on male suffrage. Recommendations for female suffrage were to be made very early in Vermont's history but were not to achieve the status of State law until the early twentieth century.

Both the 1777 Constitution and the present one place private property in a position of service "to public uses when necessity requires it" while compensating any owner with its monetary equivalent (Article Two). Where the original Constitution confined citizenship to Protestants, this was soon eliminated and no restrictions exist that are based on religious faith or matters of conscience. Both the original and present constitutions place police powers completely under public control and all officers of government are held accountable to the people (Article Five in the 1777 Constitution, Article Six in the present one). As a token of faith in popular control, the right of the people to revolution remains to this day in Article Six of the original

Constitution and Article Seven of the present document. The people are explicitly vested with "an indubitable, unalienable, and indefensible right to reform or alter government in such manner as shall be, by that community, judged most conducive to the public weal." Due process, speedy jury trials by one's peer, and the right of a defendant "not to give evidence against himself" are written into Article Ten. In contrast to the Federal Constitution which only implicitly committed the new nation to a militia system and an armed citizenry, Article Fifteen in the 1777 Constitution and Article Sixteen in the present one explicitly declares that "standing armies in times of peace are dangerous to liberty," a republican ideal, rooted in ancient political philosophy and the "Atlantic Republican Tradition," to use J. G. A. Pocock's phrase, that links militarism to tyranny. Every citizen is thereby accorded the "right to bear arms" for the defense of the republic as well as personal defense.

The current constitution's "Plan or Frame of Government" contains about seventy sections, an addition of some twenty sections to the original 1777 document. After two centuries, this small difference in number can be regarded as an almost imperceptible addition by comparison with many other state constitutions. It is not so much conservatism that accounts for the resistance of Vermonters to wanton change in the governmental framework of their commonwealth, but a desire to conserve the best

in the past in the *conservationist* sense of the word. Conservatism in Vermont has not meant reaction but a sense of republican prudence with respect to ideals of self-government and individuality. Until recently, most political debates of major importance were charged by Vermonters with deep moral meaning and responsibility. Vermonters have been more conscious than most Americans that politics is a moral issue, not merely the "art of the possible." Republican virtue, however much it is normally honored in the breach, still retains a wealth of meaning in Vermont that it has long since lost even in the founding colonies who made the American Revolution.

The underlying moral presupposition of the Vermont Constitution is that every citizen is competent to manage his or her affairs, to play an active role in the governmental and political process, to judge and evaluate representatives who are inadequate to the demands of their public trust and replace them. This image of a competent body politic stands in marked contrast to most state constitutions whose legal jargon, elitism, and professionalism visibly treat the citizen as incompetent, indeed virtually mindless, and direly in need of day-to-day governmental guidance.

Hence, basic to the traditions that underpin the Vermont Constitution is the existence of the direct face-to-face democracy we call "town meetings,"

the bi-annual accountability of State officials to the citizenry in regular elections, a wariness of political professionalism that expresses itself in unsalaried representatives, a very low proportion of legal professionals in the General Assembly, and a high frequency of people drawn from ordinary walks of life. Senators and Representatives come *from* the people; they are not inflicted *on* the people by highly institutionalized and legal systems.

The Constitution's emphasis on accountability can hardly be overstated. From the Civil War era to the late 1920s, Vermont's governors were guided by a *de facto* rotation of public office. This period of the "mountain rule," a political understanding between the eastern and western halves of the State, produced a nearly unbroken series of governors from both sides of the Green Mountains who occupied the gubernatorial office for a mere two years and then retired, generally voluntarily, from that position permanently. In a span of fifty years (1870-1927), some twenty-eight governors entered the State House for their allotted two years. Whether one wants to regard this extraordinary rotation of the office as wise or not, it reflects a popular sensitivity to executive authority and accountability that is particularly admirable today, when one of the greatest political problems of our time in the United States and abroad is the concentration of power in single individuals or elites with the consequent loss of popular empowerment and citizen involvement in public affairs.

## The Future of the Constitution

Should we abandon these precious traditions and the document that has given them expression, today, in the name of a dubious "efficiency," "stability," and professionalism that threatens their very integrity?

A serious confusion can develop around the meaning of a constitution and statutes or ordinances. A constitution is an ethical document, not a guide book for human behavior. It gives voice to a people's ideals of virtue and the public good — in Vermont's case, an ideal of republican virtue conceived as an *ethics* of freedom. Freedom is seen as an end in itself rather than a "tool" that can be taken up for one kind of operation and discarded for another. Acolytes of republican systems have never argued that freedom is "efficient," fosters "stability," or is blissfully "inexpensive"; they have seen it as a goal that is worth attaining because it is *good* and hence virtuous. It is a form of humanity's self-realization and self-fulfillment. Authoritarian regimes can be more "efficient" and "stable" than republics, but at the cost of abandoning all commitment to a social and political ethics. To amend constitutions in such a way as to alter some of the most basic ethical principles that enter into their very definition of freedom (i.e., the accountability of public officials to the citizenry) in the interests of "efficiency" and "stability" is to literally mistake

the baby for the bathwater. By doubling the two-year term, one reduces by a half the accountability of the State to its people; one halves the political education to which citizens are exposed in election campaigns; one diminishes by half the involvement of the citizenry in public affairs. This is not a numbers game. It is a moral statement of far-reaching consequences in the relationship of a people to its representatives. It is not only a diminution of freedom -- of a people's exercise in the "mysteries" of power -- but a diminution of the *educational* role which politics should assume if the goal of a republic is to empower the people.

Statutes are a means of executing the moral principles in a constitution in accordance with changing needs and possibilities. They bridge the gap (to quote from a recent novel on Russian life) between "what is said" and "what is done." In short, they are concerned with the "art of the possible," not with the goals of the ethical. To deal with Vermont's Constitution as though it were a body of state laws is to hollow out the Constitution of all its moral content, to reduce it to a mere tool rather than elevate it to an ethical guide. Inevitably, this kind of confusion provides a steady diet of abuses. Four-year terms tend to become six-year terms; four-year "time locks" tend to become two-year "time locks" and finally terminate in the elimination of "time locks" completely. What is ultimately lost in the sheer momentum of such changes is the very ethics of

the republican tradition and the debasement of a constitution into statutory law. This development has already assumed alarming proportions in many of our state constitutions, where the "art of the possible" has dissolved the ethics of the good. It is a process that has already invaded our Federal Constitution and republican systems abroad. We should not, indeed, we cannot, allow this to happen in Vermont.

The Vermont Constitution has survived many crises in the past, but rarely has it faced the *kind* of challenges that confront it today. Oligarchic governors and factions were generally ineffective for generations because Vermont was decentralized in fact, however much State aid was needed to build roads and other facilities. The relative isolation of the towns, their relatively egalitarian economies outside cityfied areas, and their internal systems of mutual aid provided Vermont's republican system with astonishing solidity. The power plays that often dominated the State's political history since the Revolution rarely altered the integrity of its grassroots democracy. Vermonters enjoyed a fair degree of independence -- by no means idyllic but surprisingly substantial -- as farmers or small entrepreneurs. This independence raised strong defenses against professional politicians, lawyers with strong political ambitions, and heady plunderers for whom land and forests are mere "natural resources" to be exploited without regard to the needs of the people.

Materially, the Vermonter's independence is waning today. In several major waves of immigration, people have settled in the State who have little contact with its history and traditions. They have brought the State much that is invaluable -- economically, culturally, politically, and intellectually -- and, for the most part, love it dearly. But they occasionally reflect the mentality of the fairly corporatized society from which they emigrated, a society that places a high premium on "efficiency" over democracy and "stability" over political vitality. By the same token, Vermonters whose roots were established in the State generations ago have often lost the creative sensibilities and feistiness of their ancestors. Exposed to the mass media, consumer mentality, and rivalries of the post-World War II era, they have sometimes replaced their ancestral political and social values with those of the giant cities they profess to detest. Localities are yielding their uniqueness to the homogeneity, mind-control, and gadgetry that is so alarming to many democratic social theorists. Perhaps the greatest danger that faces Vermont and its republican traditions is not only media and consumerism but the erosion of the character-structure and unique sense of identity that marked its citizenry in the past. This identity is not peculiarly "hereditary" or strictly environmental. Left to purely social changes, it will almost certainly disappear into the new kind of "melting pot" the media has created in the United States. Vermont's identity must now

depend upon a *conscious* desire to retain the best of its traditions. The reality of Vermont will depend upon an act of *will*, intellectually fashioned by mutual agreement among its citizens and their representatives, to keep Vermont alive. Its Constitution, far from being taken for granted -- much less manipulated -- must be seen as a treasure that is worth preserving if only to preserve the sense of personality, individuality, and freedom that once depended upon the virtues of self-sufficiency and agrarian lifeways, while discarding the limitations of parochialism and chauvinism.

Can a balance be struck between past and present that will make Vermont's future more meaningful than it is today? At a time when the word "progress" is laden with such menacing dangers as nuclear and ecological immolation, is there a reasonable possibility that we can at least rescue the magnificent republican heritage that gave Vermont such importance in American society? Even if we cannot stop the loss of our farmland to suburban tracts or our forests to wood-chip generating plants, can we at least rescue the human, political, and social values embodied by our Constitution so that when we arrive at a balance, there *will* be something to preserve?

It is these questions that confront us as grimly as the moral and material losses we have already suffered. The Vermont Constitution is now under

siege on a historic scale. The loss of the two-year term will answer more questions than political ones. It will answer the question of whether we deserve the trust which the Constitution places in us, the belief in the competence it implies, the character-structure and personality of a free and independent people. To abandon *our* accountability to the Constitution is to abandon our accountability to society -- and, ultimately, to abandon our accountability to ourselves as authentic human beings.